

Message

From: Mutter, Andrew [mutter.andrew@epa.gov]
Sent: 10/16/2018 8:01:06 PM
To: Benevento, Douglas [benevento.douglas@epa.gov]
Subject: FW: Compilation 10/16/2018

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CBS: Sidelined Children's Health Official Says EPA Inaction Means 'Kids Are Disposable'

October 15, 2018 at 11:00 pm

(CBS News) — Making sure children are protected from environmental toxins has been Dr. Ruth Etzel's job at the Environmental Protection Agency. She's the agency's top pediatric expert — the author of textbooks and policy handbooks on children's environmental health. As director of the Office of Children's Health Protection (OCHP), it was her job to determine the impacts of regulations on children.

"I often think of the Office of Children's Health as the conscience of EPA, because, you know, we're kind of nagging at them: 'Is this okay for children? Are you sure this is okay for children?'" she told correspondent Anna Werner.

But from the beginning of the Trump administration, Dr. Etzel says it seemed those above her no longer wanted her advice. "Our message is no longer welcome. The message that children are not little adults and they need special protections is not welcome," she said.

Her monthly meetings to advise the EPA administrator were abruptly halted.

"So, you had no one-on-one meetings with Scott Pruitt, and you had no one-on-one meetings with Andrew Wheeler? Not one?" asked Werner.

"Not one."

And, she says, a national strategy to remove lead from children's environments — launched after the Flint, Michigan water crisis — stalled, with one official brought in by the new administration telling her that anything involving new regulation "wouldn't fly."

"My sense is that the government has absolutely no intention of taking any action toward seriously changing lead in children's environments," Dr. Etzel said.

Werner asked, "What does that mean for the kids?"

"It basically means that our kids will continue to be poisoned," Dr. Etzel replied. "It basically means that kids are disposable, they don't matter."

But through it all, she says, she kept pushing, until about three weeks ago, when an official came into her office: "My boss, who's the deputy chief of staff, walked in and handed me a piece of paper and said, 'I'm putting you on administrative leave.' And I almost fell off of my chair. I said, 'What's this about?' And she wouldn't say."

"Did you have any idea what was happening or why it was happening?" Werner asked.

"None whatsoever."

"Did you have any warning?"

"No. No. Nothing."

Health and environmental experts who know Dr. Etzel were shocked and stunned over her being put on leave. In a letter to EPA, over 120 environmental and health organizations express their great concern, saying “by placing Dr. Etzel on leave, the EPA has sent a signal that children’s health is not a priority for the agency.”

So, at a meeting last week, Werner approached acting deputy chief of staff Helena Wooden-Aguilar, the person Dr. Etzel says came into her office that day.

“Why was she not told the reasons why she was put on leave?” Werner asked.

“Unfortunately, I can’t comment on that,” Wooden-Aguilar responded.

So, Werner asked her boss, chief of operations Henry Darwin, the man right under administrator Andrew Wheeler.

“So, it’s really inappropriate for me to talk about any personnel-related issues,” Darwin said.

“Okay, but why is Dr. Etzel on administrative leave?”

“Like I just said, it’s very inappropriate for me to talk about personnel issues.”

“But shouldn’t she have been told why she was put on administrative leave?”

“You want me to say it again? I really can’t comment on personnel-related issues,” Darwin said.

As for Dr. Etzel? After three weeks on paid leave, she says it’s time to speak out.

“This is totally wrong, and the only people that I really report to are mothers and fathers and communities in the United States,” Dr. Etzel said. “And if EPA won’t let me tell about how children are being poisoned, I’ll just tell the mothers and fathers directly. I have that right, whether or not EPA wants me on their staff.”

Werner asked, “What if they come up later and say, ‘Well, you did these things wrong?’”

“If I did, then I’ll say, ‘Okay.’ If I didn’t, then I’ll say I didn’t. You know? But I don’t know what the allegation is, so it’s very hard to know, but basically I’m a straight shooter, I’m transparent. So if I make a mistake, I own it.”

The EPA referred CBS News to a statement from chief of staff Ryan Jackson, who said that Dr. Etzel “was placed on leave to give the agency the opportunity to review allegations about the director’s leadership of the office.”

But Dr. Etzel tells us she has never been made aware of any allegations.

The EPA insists it is committed to protecting children and maintains that Dr. Etzel’s removal won’t affect its work.

In a statement to CBS News, EPA Chief of Staff Ryan Jackson said,

“Although EPA does not customarily comment on personnel matters, due to circulating misinformation, the Director of EPA’s Office of Children’s Health Protection was placed on leave to give the Agency the opportunity to review allegations about the Director’s leadership of the office.”

A spokesperson for the Office of Children’s Health Protection also issued a statement:

“Children’s health is and has always been a top priority for the Trump Administration and the EPA in particular is focused on reducing lead exposure in schools, providing funds for a cleaner school bus fleet, and cleaning up toxic sites so that children have safe environments to learn and play. These are just a few of the dozens of objectives the EPA’s Office of Children’s Health will continue work on during this administration.”

The EPA also provided press releases (1, 2, 3) asserting the agency’s commitment to protecting children’s health.

After this story aired Monday morning, EPA spokesman John Konkus sent the following updated statement:

“Dr. Etzel is currently on investigative leave because of serious reports made against her by staff regarding her ability to effectively lead the Office of Children’s Health. The kinds of allegations that have been raised regarding Dr. Etzel’s conduct are very concerning and prompted EPA to take action. Her attempt to use the press to distract from the allegations about her personal conduct is completely inappropriate. Any link that Dr. Etzel is attempting to draw between her personal situation and the mission of the Office of Children’s Health is an attempt at misdirection. EPA is 100% committed to protecting children’s health and will do everything in its power to ensure that the Office has competent leadership.”

In response, Dr. Ruth Etzel wrote the following:

“This is false. I want to respond to the EPA spokesperson’s allegations about me. I have nothing to hide. For the years 2016 and 2017 I was given ‘Commendable’ performance ratings from my EPA supervisors. In April of 2018 I had a mid-year performance review with the Acting Deputy Chief of Staff and she brought no problems to my attention. EPA gave me a \$2,200 cash award in August of 2018 for my leadership on drafting the Federal Strategy to Reduce Childhood Lead Exposures and Associated Health Impacts.

My end-of-year performance review was scheduled to take place this month but instead of doing a performance review EPA unexpectedly placed me on administrative leave. The federal government has well-established procedures to handle employee complaints. The specific complaint must be brought to the attention of the individual within a clearly specified timeframe so that she has the opportunity to respond. My EPA supervisors have not brought any complaint to my attention.

For the past 5 months, the EPA leadership appeared to be desperate to find something that I had done wrong. They tormented my travel coordinator and quizzed the person who handles our grants. Apparently they could not find anything so EPA put me on paid leave for no reason. Now, EPA is slandering me in the press, because I am telling the public the truth.”

S&P: US EPA aims to propose ethanol, RINs reforms by February

<https://www.spglobal.com/platts/en/market-insights/latest-news/agriculture/101518-us-epa-aims-to-propose-ethanol-rins-reforms-by-february-spokesman>

By Meghan Gordon- October 15, 2018

Washington — The US Environmental Protection Agency aims to formally propose an expansion of higher ethanol blends and trading reforms for renewable fuel credits markets by February, a spokesman said Monday.

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Register Now President Donald Trump last week touted in a campaign rally in Iowa that he was "unleashing the power of E15 to fuel our country all year long. Not eight months. All year long."

The sale of E15, or gasoline blended with 15% ethanol, is currently restricted in the summer months because of gasoline volatility rules.

Trump directed EPA to authorize year-round E15 sales and to develop new rules to increase transparency in Renewable Identification Numbers markets.

Spokesman John Konkus said proposing the rule by February would allow the agency to complete the rulemaking process and issue a final rule by the June 1 start of summer driving season, when E15 restrictions would otherwise kick in.

The E15 expansion and RINs trading changes are not expected to have an immediate impact on fuel prices or trade flows as they will have to undergo a long rulemaking process, and oil refiners have already promised to challenge the policy in court.

Among the RINs changes, the White House asked EPA to consider banning anyone but obligated parties from buying separated RINs, requiring public disclosure when RIN holdings exceed specified limits and limiting the time a non-obligated party can hold RINs.

High gasoline prices have become a political liability ahead of the US midterm elections, and Trump's previously unfulfilled promise to approve year-round E15 was threatening to hurt Republicans in farm states.

Trump said approving year-round E15 would lower drivers' costs at the pump

The Intercept: TED CRUZ'S PRESSURE ON THE EPA HELPED CREATE A HUGE WINDFALL FOR HIS BIGGEST CORPORATE CAMPAIGN DONOR

<https://theintercept.com/2018/10/16/ted-cruz-campaign-donor-valero-energy-rins/>

Lee Fang- October 16 2018, 8:15 a.m.

TEXAS-BASED REFINERY GIANT Valero Energy is the largest publicly traded corporate supporter of Texas Republican Sen. Ted Cruz's re-election bid. Valero and its senior executives have poured at least \$116,500 into Cruz's campaign coffers this cycle.

Cruz lobbied the Environmental Protection Agency to shift some of its policies — pressure that has led to hundreds of millions of dollars in savings for Valero.

Now, the company's political investment in Cruz appears be paying off. Over the the last year, Cruz lobbied the Environmental Protection Agency to shift some of its policies — pressure that has led to hundreds of millions of dollars in savings for Valero.

The fortuitous turn for Valero involves an EPA program created in 2005 that mandates the production of biofuels. In order to track compliance with the Renewable Fuel Standard, each batch of ethanol or biodiesel is labeled through what are known as "Renewable Identification Numbers," or RINs. In order to comply with the mandate, companies may blend biofuels or purchase RINs on the marketplace. But the increasing compliance costs have angered the traditional oil industry, which has complained that the original policy is outdated and overly burdensome.

Valero is among the oil refinery firms that lack adequate facilities to blend biofuels, forcing the company to purchase RINs from the marketplace, thus making it more reliant than others on the market price of the tax credit.

Cruz, in turn, repeatedly lobbied the EPA to lower the cost of RINs. Last December, the senator asked the EPA to cap the biofuel credits at 10 cents, well below the market rate of 70 cents per RIN credit last year. He also met personally with President Donald Trump over the issue. The administration has awarded exemptions to the renewable fuel mandate, and allowed RINs to be awarded to fuel exports. The sustained advocacy against the program has spooked investors, driving down the price of the credits.

There are winners and losers with lower RIN prices: Gas stations, ethanol producers, and oil refineries that have invested in biofuel production may lose out. Critics of the program argue that ethanol is not the most efficient renewable energy and that farmland should be primarily used for food production, not fuel. But the biggest winners of crashing RIN prices are overwhelmingly oil companies, and Valero — amid major donations to Cruz's campaign — is reaping a financial windfall. Neither Valero nor Cruz's office responded to a request for comment.

In recent statements to investors, Valero Energy projected that the plummeting costs of RIN renewable energy credits saved the firm \$124 million in this year's second quarter. The company projects continued savings from the falling price of the energy credits, which have cost the firm as much as \$750 million annually in previous years.

Valero Energy poured resources into helping elect Cruz. In July, the company gave \$100,000 to Texans Are, the pro-Cruz Super PAC that is now battering his Democratic opponent, state Rep. Beto O'Rourke, D-El Paso. The company has also donated another \$4,000 to the Cruz campaign through its PAC and executives at the firm have donated as individuals.

VALERO'S LOBBYING TEAM in Washington, D.C., has long focused on the Renewable Fuel Standard, which established RINs. Disclosures show that all 18 registered lobbyists for the company listed the policy as an issue they are currently working to influence.

The policy fight over the renewable energy fuel standard, which was designed to promote the ethanol industry, has long pitted politicians from corn-producing states, such as Iowa and Nebraska, against those from oil-refining states, such as Texas and Louisiana.

Cruz has made attacking the regulations a calling card. In February, he traveled to Philadelphia to speak at a rally at Philadelphia Energy Solutions, a refinery that declared bankruptcy the previous month. At the event, Cruz claimed that the high cost of RIN credits had contributed to the failure of the firm and loss of jobs. But the bankruptcy of the refinery is far more complicated. The Pennsylvania refinery was owned by the Carlyle Group, a private equity firm that extracted a minimum of \$30 million in payments from the company every quarter, a financial strategy that slowly bled the firm.

Cruz and Valero, however, aren't the only ones hoping to change renewable energy policy. Billionaire investor Carl Icahn, who advised Trump and supported his campaign, is the majority shareholder of CVR Energy, which owns a Texas refinery that incurs high costs associated with complying with the biofuels mandate. Last year, Icahn floated a plan to shift responsibility for blending biofuels away from refineries, another strategy aimed at boosting the profitability of his company through political influence.

Cruz touted Icahn's advocacy on the biofuel tax credit as a "win-win solution" that would protect "thousands of jobs," though the impact on jobs is debatable.

Meanwhile, Valero Energy has used surging profits chiefly to reward shareholders. In January, the company spent \$2.5 billion to buy back company stock, a transfer of wealth that primarily enriched investors.

Lehigh Valley Live: Lehigh Valley Superfund: 1 toxic dump deleted, another improving, EPA says

https://www.lehighvalleylive.com/news/index.ssf/2018/10/lehigh_valley_superfund_1_toxi.html

By Kurt Bresswein- October 16, 2018

Two former landfills in the Lehigh Valley that once took on toxic waste are on the mend, the U.S. Environmental Protection Agency says.

One has been remediated to the point that it's been deleted from the EPA's Superfund program, also known as the National Priorities List. That site is called the Dorney Road Landfill; it is mostly in Upper Macungie Township but crosses into Berks County, as well.

The other is Industrial Lane in Williams Township. That property beneath a portion of the Chrin Brothers landfill remains in the Superfund program, but a recent five-year review shows progress is being made on reducing contaminants there, according to the EPA.

"Concentrations of TCE and PCE in groundwater at the site have gone down, but TCE levels continue to be slightly above the Maximum Contaminant Level (MCL)," an EPA spokeswoman said about the Industrial Lane five-year review completed last month. "The goal is to get TCE levels below the MCL."

TCE is trichloroethene and PCE is perchloroethene. Both are volatile organic compounds (VOCs) present in groundwater at the Industrial Lane site, along with vinyl chloride, benzene and other contaminants lingering from former disposal activities.

27 years of dumping

The 30-acre Industrial Lane site began as an unlined landfill in 1961 and was later taken over by Chrin Brothers and operated as a permitted landfill until 1988, according to the EPA. Officials first documented groundwater contamination in 1980.

This site was proposed for Superfund in September 1983 and formally added in September 1984 to the program targeting the nation's most challenging toxic properties.

The EPA in September 1986 began connecting contaminated private wells to public water, a remedy that covered 95 properties. In 1991, the agency ordered that the old landfill be capped and that contaminated groundwater be pumped out so it can be treated and discharged to the Lehigh River. Follow-up plans were adopted in 1996 and 2015.

"As of 2016, an environmental covenant restricts groundwater use and disturbing the landfill closure remedy," last month's five-year review states. "The groundwater remediation system has effectively reduced contaminant concentrations in on-site extraction and monitoring wells."

In short, the review "determined that the remedy is protective of human health and the environment," according to the EPA.

Air near this Superfund site is likely hazardous, feds say

Air near this Superfund site is likely hazardous, feds say

A community meeting was scheduled to discuss air quality near the operating American Zinc Recycling plant in Palmerton.

The northern portion of the still-active Chrin Brothers Sanitary Landfill is overtop of the Superfund site. Some of the site's monitoring wells were damaged in March 2013 when two areas of the active landfill shifted about 60 feet at the top and 80 feet at the base, according to the EPA.

Those wells have since been repaired, and remediation of the slide was completed last March 9, the EPA says.

Toxic brew unearthed

Like Industrial Lane, the Dorney Road site is also an old landfill. The abandoned open pit iron mine was used as a municipal and industrial dump from 1952 to 1978, according to the EPA. A 1970 inspection by Pennsylvania environmental officials turned up industrial sludge, batteries, asbestos and barrels of petroleum products.

The site was also added to Superfund in September 1984. As part of remediation plans adopted in 1988, groups held responsible for the contamination installed a multi-layer landfill cap and gas-collection system.

The Dorney Road Landfill had contamination in its soil, groundwater or leachate in excess of EPA acceptable levels for both carcinogenic and non-cancer-causing contaminants, including polycyclic aromatic hydrocarbons, lead, chromium, TCE, PCE, vinyl chloride, benzene and arsenic, according to a 1987-88 EPA study of contamination from buried and dumped waste.

"Risk at the site was due to dermal contact and incidental ingestion of landfill soil, solid waste and on-site ponded waters and residential exposure via ingestion of contaminated groundwater and inhalation of volatile compounds while showering," the EPA says in its five-year review published last May.

The Dorney Road Landfill site boundary is shown in red in Upper Macungie Township, and crossing into Berks County. (EPA image | For lehighvalleylive.com)

In the most recent groundwater testing results included in that report, conducted in 2013 until May 2017, the metals manganese, mercury and thallium all exceeded the federal maximum contaminant level (MCL), according to the EPA.

A 1991 cleanup plan found it would be impractical to treat the groundwater to MCLs and instead focused on treatment at wellheads near the site, in the event site contaminants are found in well water above MCLs. No wellhead treatments unit have been necessary, the EPA says.

"The quarterly monitoring of residential wells continues to demonstrate that there are currently no detections of VOCs above MCLs," the May review states. "Historic sampling also indicates that no contamination has ever been observed in the residential wells above MCLs. ...

"All new housing developments in the vicinity of the site are connected to public water."

'Top priority of the Trump EPA'

In being removed from Superfund, the Dorney Road Landfill joins 21 other National Priorities List sites deleted or partially removed during the Fiscal Year 2018 that ended Sept. 30, according to the EPA.

That represents the largest number of deletions since Fiscal Year 2005, under President George W. Bush, from the Superfund program created by the 1980 Comprehensive Environmental Response, Compensation and Liability Act (CERCLA).

"EPA and the state have determined that all appropriate response actions under CERCLA, other than operation and maintenance, and five-year reviews, have been completed," an EPA spokeswoman said.

The EPA in May 2017 launched the Superfund Task Force, with a major focus on deleting sites from the program.

"Under President Trump, EPA is deleting Superfund sites from the National Priorities List at the fastest pace in more than a decade," EPA Acting Administrator Andrew Wheeler said in a news release last year. "This remarkable accomplishment is proof that cleaning up contaminated lands and returning them to safe and productive use is a top priority of the Trump EPA."

Along with Dorney Road, the 18 sites completely deleted from Superfund last fiscal year included two more sites in Pennsylvania: C&D Recycling in Foster Township, Luzerne County, and Recticon/Allied Steel Corp. in East Coventry Township, Chester County.

Others were in Utah, Mississippi, Washington State, New York State, Massachusetts, Minnesota, Texas, Connecticut, West Virginia, North Carolina, Maine and Florida. The four sites EPA partially deleted were in Minnesota, Nebraska, California and Ohio.

Wrapping up Superfund cleanups potentially returns these sites to communities for redevelopment.

Upper Macungie Township Manager Robert Ibach Jr. said he was aware of preliminary contact made with the township by a company that erects solar fields on brownfield sites. But he unaware of any current plans for redeveloping the Dorney Road Landfill.

Maui Now: EPA Awards Environmental Grants to Hawai'i Organizations

<https://mauiNOW.com/2018/10/15/epa-awards-environmental-grants-to-hawaii-organizations/>

October 15, 2018, 4:33 PM HST · Updated October 15, 4:33 PM

The Environmental Protection Agency has awarded several environmental education grants to Hawai'i organizations. This year's funding supports projects that demonstrate or disseminate educational practices that increase environmental and conservation literacy and encourage behaviors that benefit the environment.

"Environmental education is critical to promoting conservation and protection of our natural resources," said EPA Pacific Southwest Regional Administrator Mike Stoker. "These lessons start in our own backyards, classrooms and in the fields of farmers who work the land. These programs will educate and inspire the next generation of environmental stewards."

EPA's environmental education grant awards for Hawai'i in 2018 include the following projects:

Purple Mai'a Foundation – \$100,000

The Purple Mai'a Foundation's Indigenous Innovation in Education project will educate 24 teachers and 136 high school students by developing and implementing a new cross-cutting curriculum. Students will partner with the University of Hawai'i Manoa to build low-cost water quality monitors used for aquatic health assessment of culturally significant Hawaiian fish ponds. Students will gain hands-on science, technology, engineering and math (STEM), computer programming skills, and knowledge of traditional native Hawaiian cultural practices. The project is aimed at schools serving Native Hawaiian and/or low-income students in both urban communities on Oahu and rural communities on the Big Island and Maui.

Malama Learning Center – \$80,000

The Malama Learning Center will engage students, teachers, agricultural and conservation professionals, and community members on two environmentally and culturally different sides of Oahu. The hands-on outdoor learning experiences are designed to instill interest in environmental STEM careers and conservation of local natural resources. The projects aim to reach over 1,000 people, including native Hawaiian and low-income students. The grant will pay for ten class field trips, student action research projects, community work days, a green collar institute seminar for students, presentations at major conferences and televised programs reaching a statewide audience. With this grant, Malama Learning Center hopes to inspire the next generation of environmental professionals and scientists to care for Hawai'i's magnificent natural resources.

CNN: Donald Trump: Climate 'will change back again'

<https://www.cnn.com/2018/10/15/politics/trump-climate-change-60-minutes/index.html>

By Mark Tutton Updated 4:50 PM ET, Mon October 15, 2018

(CNN)President Donald Trump has said he doesn't believe that climate change is a hoax -- but added Sunday night that "it'll change back again."

In the wake of a report from the global scientific authority on climate change warning that governments around the world must take "rapid, far-reaching and unprecedented changes in all aspects of society" to avoid disastrous levels of global warming, Trump was asked for his views on climate change during an interview on CBS's "60 Minutes."

Trump replied: "I think something's happening. Something's changing and it'll change back again. I don't think it's a hoax, I think there's probably a difference. But I don't know that it's man-made."

Rolling back climate regulations

Trump's belief that climate change may not be man-made should come as no surprise -- it's reflected in many of the policies that have defined his first term. While it might be seen as progress that he's acknowledged it's not a hoax, his belief that climate change will fix itself is clear from the way his administration has rolled back many Obama-era climate change directives.

Here are some of the controversial climate actions taken by the Trump administration:

In 2017, Trump announced he would withdraw the US from the 2015 Paris agreement -- the landmark accord through which countries have pledged to reduce carbon emissions -- leaving the US as the only country in the world not signed on to the deal.

In August, the administration announced plans to freeze Obama-era greenhouse gas emissions standards for automobiles. It also proposed withdrawing California's Clean Air Act pre-emption waiver, which lets the state set its own emission standards. California and about a dozen states that follow its rules account for about a third of all the passenger vehicles sold in the United States.

In September, the Environmental Protection Agency (EPA) released a proposal that would relax requirements from the Obama-era on how energy companies monitor and repair methane leaks.

The EPA wants to roll back the Obama-era Clean Power Plan, which had a goal of cutting the country's carbon emissions by a third by 2030, compared with 2005 levels. The EPA's proposed Affordable Clean Energy Rule would devolve regulation of coal-fired power plants back to the state level, which is expected to boost the coal industry and increase US carbon emissions.

Trump signed an executive order in 2017 lifting a moratorium on new coal leasing on federal lands, which was put in place by the Obama administration. Environmentalists had long criticized such leasing, saying coal companies paid so little for their leases that taxpayers were effectively subsidizing coal production.

Trump has said often climate change isn't real 01:36

In 2017, Trump signed an executive order curbing the government's enforcement of climate regulations, saying they harmed American businesses. The order rescinded the 2013 Climate Action Plan, which focused on cutting carbon emissions, preparing infrastructure for the impact of climate change and making the US a leader in combating climate change. He also rescinded an Obama executive order that created a Council on Climate Preparedness and Resilience, charged with preparing the US for the impact of climate change.

A provision in the 2017 tax overhaul bill legislation opened up Alaska's Arctic National Wildlife Refuge to oil and gas drilling, and at the start of 2018, the Interior Department announced it was considering plans to permit drilling in nearly all US waters.

Last week's UN Intergovernmental Panel on Climate Change (IPCC), report said that based on current levels of greenhouse gas emissions, the planet will reach 1.5 degrees Celsius (2.7 degrees Fahrenheit) above pre-industrial levels by as early as 2030, precipitating the risk of extreme drought, wildfires, floods and food shortages for hundreds of millions of people.

NASA says that "97 percent or more" of climate scientists agree that climate-warming trends over the past century are very likely due to human activities, and most of the leading scientific organizations worldwide have issued public statements endorsing this position.

The Independent: Five agri-food companies named by EPA for failing to meet environmental standards

<https://www.independent.ie/business/farming/forestry-enviro/environment/five-agrifood-companies-named-by-epa-for-failing-to-meet-environmental-standards-37425637.html>

Margaret Donnelly- October 16 2018 11:57 AM

The Environmental Protection Agency (EPA) has published the latest National Priority Sites List for Enforcement and named five agri-food companies for failing to meet necessary environmental standards.

Nine sites in total are on the latest list for failing to meet the necessary environmental standards; this is an increase of four sites from the previous list. These companies face further enforcement action from the EPA in order to secure compliance.

The five agri-food companies are the Arrow Group (the company behind Dawn); Glanbia Food Ireland (Laois); LacPatrick; Rosdearra Meats; Western Brand (Poultry group).

- Five of the nine sites are from the agri-food sector. The main compliance issues are causing odour and noise nuisance and failing to properly manage wastewater discharges.
- Three sites are from the waste sector. The main compliance issues are poor waste management practices on site and causing odour.
- The nine sites accounted for 43 per cent of all complaints received in this period.

It comes after the Environmental Protection Agency (EPA) said earlier this year that the agri-food sector needs to clean up its act due to the high number of processors found which do not comply with their licences.

The 'Industrial and Waste Licence Enforcement 2017' report identifies five sites which the environmental watchdog has prioritised for enforcement action.

Arrow Group	Kildare
C & F Automotive Ltd	Westmeath
Eras Eco Ltd	Cork
Glanbia Foods Ireland Ltd	Laois
Lacpatrick Dairies Ltd	Monaghan
Rosderra Irish Meats Group (Edenderry)	Offaly
Starrus Eco Holdings Ltd (Munster)	Cork
The Hammond Lane Metal Company Ltd	Dublin
Western Brand Group Ltd	Mayo

At the time it named the Arrow Group, in Kildare, Lacpatrick Dairies Ltd, in Monaghan, Rosderra Irish Meats Group (Edenderry), in Offaly, Starrus Eco Holdings Ltd (Munster), in Cork, and Western Brands Group Ltd, in Mayo.

Chemical Watch: Increase in Snurs triggers CDR rule concerns

<https://chemicalwatch.com/71035/increase-in-snurs-triggers-cdr-rule-concerns>

Kelly Franklin- 16 October 2018 / Data, TSCA, United States

Concept - Business report button ©Jakub Jirsák - Fotolia.com

The specialty chemicals group Socma is pressing the US EPA to make changes to its CDR rule as a result of changes to the TSCA new chemicals programme.

The comments came in response to an EPA information collection request (ICR) on its Chemical Data Reporting (CDR) rule, which requires companies to submit, every four years, quantity and use information for substances produced in and imported into the US.

Socma pointed out that manufacturers must report if, for any year of the CDR cycle, production volume exceeds 25,000lbs per manufacturing site. However, for substances subject to a TSCA action – including a consent order or significant new use rule (Snur) – that threshold drops to 2,500lbs.

Since enactment of the Lautenberg Act in 2016, use of these regulatory instruments in the TSCA new chemicals programme has soared. And consequently, the group fears that this will "undoubtedly result in a vast increase in the number of small companies who will be subject to CDR reporting in 2020".

Compounding this concern is that the definition of a small business, as far as it relates to section 8 reporting requirements, has not been updated since 1988. And despite having acknowledged that an inflationary adjustment may be warranted, the EPA has yet to issue a rulemaking to update these size requirements.

TSCA's finalised fees rule includes an updated small business definition based on employee numbers, but this change only relates to fees, and does not cover section 8 reporting requirements.

Socma has called on the agency to begin a prompt rulemaking to update its size standard for the CDR. And it reiterated a request for creating a "single, consistent classification system to identify small businesses" across all of TSCA.

The EPA said in the fees rule it believes a forthcoming TSCA section 8(a) rulemaking will "provide for more consideration of appropriate size standards for industries subject to TSCA and offer the public further opportunities to comment on small business size standards". It indicated plans in its semiannual regulatory agenda to propose such a rule in September, but there is no sign of it yet.

Additional suggestions

Beyond Socma's concerns, the American Chemistry Council requested that the EPA address "historical operability issues" with its electronic reporting tools.

The e-CDR web tool, said the trade group, requires "significant upgrades for a variety of reasons in order to ensure a less burdensome, more accurate CDR reporting process".

Cited issues included difficulty navigating, page time-outs, challenges submitting confidential business information (CBI) substantiation, and that login passphrases cannot be reset by EPA staff – leading to access problems when company staff roles change.

The ACC also requested that the EPA revise its burden cost estimates to reflect the generally higher actual compliance time that companies spend.

Finally, the Color Pigments Manufacturers Association (CPMA) requested that the EPA not use the CDR to collect information on chemicals and processes which "cannot reasonably be anticipated to pose a hazard of concern".

"EPA should use its broad discretion with respect to CDR reporting to focus the CDR on fewer chemicals which represent a potential risk," it wrote. "For those chemicals which pose a potential risk and are subject to EPA risk evaluation, a more detailed data collection should include processors to more accurately approximate the entire chain of commerce."

Federal collection of information is regulated by the Paperwork Reduction Act. ICRs are used to demonstrate that the collection is necessary and justifiable, and must be renewed every three years.

The existing ICR for the CDR is set to expire on 31 October. The agency collected comments in advance of that deadline, to inform its renewal submission to the Office of Management and Budget (OMB) for review and approval.

OMB will make a final determination on this.

Washington Post: Media replays fake news hit on EPA even after AP correction

<https://www.washingtonexaminer.com/washington-secrets/media-replays-fake-news-hit-on-epa-even-after-ap-correction>

by Paul Bedard- October 16, 2018 12:52 PM

Despite winning a correction from the Associated Press two weeks ago over the false headline, “EPA says a little radiation may be healthy,” other big media are sticking to the original story line, undermining the agency and reviving charges of an anti-Trump bias.

The latest example occurred Monday when the St. Louis Post Dispatch headlined an editorial, “Attention West Lake residents: EPA says radiation is good for you.”

The editors later tweaked it to: “Editorial: Attention West Lake residents: Report suggests radiation is good for you,” and added this correction: “This editorial has been updated to correct a headline that inaccurately attributed an assessment about low-level radiation possibly being good for humans. An independent scientist whose research was cited by the Environmental Protection Agency was responsible for the assessment, not the EPA itself.”

The editorial followed a CBS report that went with the initial fake anti-EPA headline and suggestion that the Trump administration was weakening radiation regulations.

In its criticism of the initial AP report on Oct. 3, the EPA urged news outlets, “If you used AP’s inaccurate reporting from October 2nd on EPA’s radiation standards you should want to immediately correct your stories to stop the spread of alarming misinformation.”

Nonetheless, the EPA told Secrets, the “alarming misinformation the Associated Press wrote is still being cited by media outlets and stoking unnecessary concern regarding EPA’s actions.”

The media’s refusal to acknowledge the AP’s initial correction, which came under EPA pressure, is causing problems in areas like St. Louis that are home to Superfund sites. In fact, in the case of St. Louis, the editorial followed a very public decision by the acting EPA Director Andrew Wheeler to begin a cleanup of the West Lake site after years of inaction by Washington.

Earth.com: EPA dismisses scientists overseeing air quality safety standards

<https://www.earth.com/news/epa-dismisses-safety-standards/>

By Kay Vandette- October 16, 2018

When Andrew Wheeler, the acting Environmental Protection Agency (EPA) administrator, was first appointed to replace Scott Pruitt, there were concerns that Wheeler's history as a lobbyist for massive energy companies represented a conflict of interest.

As a former coal lobbyist, he pushed for the termination of a bill that would have restricted coal companies from dumping waste into streams, according to the New York Times.

This is just one example of Wheeler's past coming in direct contrast with the mission of the EPA since its birth in 1970 to address public concerns about pollution.

It seems those concerns that Wheeler would act counter to the public's interest in regulating pollution and making public health a top priority were not unfounded.

The EPA recently announced that Wheeler replaced five members of an independent review committee and disbanded two review panels that were dedicated to assessing standards for particulate matter and ozone.

CNN reported that Wheeler appointed five new members to the Clean Air Scientific Advisory Committee (CASAC) and over the past year, the entire committee has been replaced with new members.

Review panels are a crucial part of any regulatory process, but this new announcement has some scientists concerned that CASAC will not be able to do its job properly, which is advise the EPA on regulating pollution to ensure air quality standards are kept in check.

The EPA is tasked with setting outdoor air quality standards for pollutants considered harmful to public health and the environment as part of the Clean Air Act.

According to CNN, the EPA updated its air quality standards in 2015 and will be creating new standards in 2020. The CASAC informs the EPA of the health risks associated with different pollutants and recommends air quality and pollution levels that ensure that those health risks are kept to a minimum.

The World Health Organization estimates that around 4.2 million premature deaths are linked to ambient air pollution, and air pollution increases the risks of cardiovascular and respiratory disease.

Now, with all new members and the disbanding of two other panels that examine ozone and particulate matter, there are concerns that CASAC will not make public safety as much of a priority.

"Protecting the public's health from dangerous amounts of pollutants in the air that we all breathe is the mandate of this agency," Jack Harkema, a professor of pathobiology and diagnostic investigation at Michigan State University, told CNN. "This cannot be done without careful, deliberate and knowledgeable understanding [of] this complex environmental health issue. Multidisciplinary teams of scientific experts must be free to conduct thorough peer-review of the pertinent science. Millions of lives are at stake."

Scientific American: Voters Need to Elect a Congress That Will Hold the Executive Branch Accountable

The U.S. Congress has not protected health or the environment. Time to make it step up

<https://www.scientificamerican.com/article/voters-need-to-elect-a-congress-that-will-hold-the-executive-branch-accountable/>

By THE EDITORS | October 16, 2018

Voters Need to Elect a Congress That Will Hold the Executive Branch Accountable

There are several hundred people in Washington, D.C., paid with taxpayer dollars, who are not doing their jobs. This November we have the chance to do something about that because these people are members of the U.S. Congress, and in upcoming elections, they can be replaced with representatives who will live up to their responsibilities.

Those responsibilities, set out by the Constitution, include oversight of the executive branch, in this case the Trump administration. That administration's agencies are supposed to craft policies based, in part, on good evidence and good science. For the past 21 months, many of them have not. Yet Congress has refused to hold them accountable.

Exhibit A is the Environmental Protection Agency. Its mission, the agency says, is “to protect human health and the environment ... based on the best available scientific information.” Instead the EPA has ignored scientific evidence to justify lowering power plant emissions and greenhouse gas targets; made it more difficult for people to learn about potentially dangerous chemicals in their communities; replaced independent scientists on advisory boards with people connected to businesses the agency is supposed to regulate; and tried to make it harder to use science as a basis for regulations to protect human health.

During all of this, Congress has done next to nothing.

Consider what happened this past spring, when EPA director Scott Pruitt, who has since resigned amid a dozen ethics investigations, proposed that no research could be used to form environmental policy unless all data connected to it were publicly available. He said this proposed rule would ensure transparency. It was really a transparent effort to ignore science.

Specifically, it would ignore research that links industrial pollution to human health. These studies include confidential patient data, such as names, addresses, birthdays and health problems—data that were only provided by patients under a guarantee of privacy. The Six Cities study, begun in the 1970s, was the first research to show that particulate matter in the air hurts and kills people. It has been replicated several times. But because its publications do not include all private patient data, the study would be ignored by the EPA when it considers permissible pollution levels. The World Health Organization estimates that this kind of pollution, largely from minute particulates, kills three million people worldwide every year. For these reasons, the rule has been condemned by every major health and science group.

There were two congressional hearings involving the EPA after this rule was proposed. The House Committee on Energy and Commerce's environmental subcommittee interviewed Pruitt, starting off with the chair, Republican Representative John Shimkus of Illinois, stating he was “generally pleased” with what the agency was doing. The senior minority member, Democratic Representative Paul Tonko of New York, did voice concerns about science, but the focus of the hearing remained elsewhere. In the Senate, an appropriations subcommittee gave Pruitt a much tougher time on his personal ethics but also spent almost no effort on science.

Pruitt has departed, but there is no reason to think that his antiscience approach has gone with him. The health studies rule is still under active consideration. Further, the EPA announced looser power plant standards this August despite admitting, in its own document, that the extra pollution would lead to 1,400 additional deaths in the U.S. each year.

Similar evidence-free approaches have taken hold at the Department of the Interior, which is scuttling a wildfire-fighting science program whose discoveries help firefighters save lives by forecasting the direction of infernos. The Department of Energy has stopped a set of new efficiency standards for gas furnaces and other appliances. Congress has been quiet.

Congressional committees work by majority rule, so if the Republicans in the current majority do not want to hold hearings or use their control over agency budgets to compel changes, there are none. But the American people can make a change. The entire House of Representatives and one third of the Senate are up for reelection right now (except for those who are retiring). We can, with our votes, make them do their jobs.

Chicago Tribune: More radon testing to begin this fall in East Aurora school buildings; no immediate health concerns, officials say

<http://www.chicagotribune.com/suburbs/aurora-beacon-news/news/ct-abn-east-aurora-radon-testing-update-st-1017-story.html>

Rafael Guerrero- October 16, 2018

Eight East Aurora School District buildings that reported above-normal radon levels will undergo long-term testing to determine if the gas levels detected are a concern.

The follow-up radon testing will take longer than the testing conducted earlier in the year, school district officials said at Monday's school board meeting. The testing would begin at the end of the month and continue through May. According to board documents, the cost for the follow-up testing is \$4,525.

More than 1,600 samples from East Aurora schools and other buildings were collected during the spring and analyzed, with results publicly released this month.

Radon is a colorless, odorless, radioactive gas that occurs naturally when soil and rock break down, releasing uranium. Possible health effects of radon exposure include a higher probability of developing lung cancer.

Officials said there is no health concern at this time, despite some of the samples from eight East Aurora buildings coming at or above 4 picocuries per liter of air, the action level for radon under the U.S. Environmental Protection Agency. Rod Harvey, a client services director at Carnow Conibear, the company East Aurora hired to conduct the original testing, said immediate closures of classrooms or rooms would have been recommended if there were radon levels at or above 100 picocuries per liter, as recommended under EPA guidelines.

None of the samples collected at East Aurora approached 100 picocuries per liter. The highest reported radon level was collected in a storage room at Waldo Middle School, at over 21 picocuries per liter of air.

Harvey said mitigation resulting from above-normal radon levels does not usually happen based on short-term testing because levels can fluctuate over the 2-4 days of testing.

"Long-term testing is several months. You take that average (radon level over time) — daily average, weekly average, monthly average — and find what the levels are," he said.

District officials defended the radon testing, calling it a proactive approach. There are no federal or state mandates requiring radon testing, meaning schools and school districts can skip testing altogether. Board members hoped families took East Aurora's approach and have their homes tested. Kane County Health can provide free testing kits to some families.

"You should also be looking at your homes to protect yourself," said board member Dan Barreiro.

According to Kane County, the average radon level countywide is at 5 picocuries per liter, above the EPA action level. The average radon level in the zip code representing East Aurora School District is at 4.6 picocuries per liter, according to Kane County Health.